

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

LEON C. BLOOM,

Plaintiff,

-vs-

**MOTION SCHEDULING ORDER
& NOTICE TO PRO SE PLAINTIFF**

BRIAN FISCHER, et al.,

11-CV-6237

Defendants.

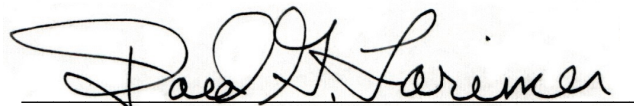
On August 23, 2011, defendants filed a motion to dismiss the Complaint. Plaintiff is hereby advised that the defendants have asked the Court to decide this case without a trial and dismiss the Complaint based on written materials and for the reasons stated in the motion. THE CLAIMS PLAINTIFF ASSERTS IN HIS COMPLAINT MAY BE DISMISSED WITHOUT A TRIAL IF HE DOES NOT RESPOND TO THIS MOTION by addressing the arguments contained in the defendants' motion.

If plaintiff has any questions, he may direct them to the *Pro Se* office.

Plaintiff must submit any materials in opposition to defendants' motion no later than September 26, 2011. Reply papers by the moving party must be filed no later than eight (8) business days following the filing of responding papers. **If plaintiff fails to respond, the Court will decide the motion based on the Complaint and the motion to dismiss.**

The Court will not hold oral argument but will decide the motion based on the papers submitted.

IT IS SO ORDERED.



DAVID G. LARIMER
UNITED STATES DISTRICT JUDGE

Dated: Rochester, New York
August 24, 2011